

October 1, 2003

To the Honorable  
Board of Fire and Police Commissioners  
City Hall – Room 706  
200 E. Wells Street  
Milwaukee, WI 53202

Dear Commissioners:

With this letter, I submit to you the report and recommendations of the ad hoc committee you appointed on April 24, 2003. This committee is to propose **remedies to negative attitudes and behavior toward lesbian, gay, bisexual and transgender (LGBT) members** of Milwaukee's fire and police departments. The committee consisted of 16 members of the departments, unions, and community at large, nine of whom were openly lesbian or gay.

In addition, committee member Gary Hollander and I convened an **anonymous advisory group of 13 LGBT members** of the fire and police departments and their non-LGBT allies. The purpose was to get an **insider view** of the climate within the departments and guide the ad hoc committee in forming policies that would be effective in correcting specific problems.

Among the **problems cited was an anti-LGBT atmosphere** as demonstrated by harassing fliers and articles left on desks, tables and posted on work location bulletin boards; slurs used against men suspected of being gay; and LGBT officers' cars being keyed. There is a **general perception that the Milwaukee Police Department (MPD) command staff tolerates a certain level of harassment** and is silent on most LGBT issues. The single Milwaukee Fire Department (MFD) female representative had much less negativity to report.

The committee found that **both departments already have diversity statements** in place that can be used as a starting point in the implementation of the required policy changes. For the MFD, the committee recommends revisions of its statement to clear up inconsistency of language and to define consequences for failure to observe it. For both departments, **we recommend including gender expression as a protected characteristic**. The statements should be prominently displayed in the stations and signed off on by all employees. Since this committee has convened, **both departments have begun responding** to these concerns.

Information on the status and treatment of LGBT members has come from several sources and indicates varying patterns of biased behavior. In order to most effectively address the problem, **a climate survey should be developed and administered in both departments.** This would gauge the current opinions of members of the departments toward not only LGBT members but toward other categories of targeted members such as people of color, women and those younger or older than the norm. The results of this survey will be used to **guide on-going recruitment, diversity training, and policy compliance efforts.**

The MFD currently has no LGBT diversity training. It has started to develop a program, however, since the formation of this committee. The MPD has had a program since 1992. Their program has several problems ranging from lack of funding and thoroughness to assessment of results. It is provided at the end of the curriculum when it is less effective, and recruits often laugh and joke about the LGBT trainers when they leave the classroom.

**Reaching the goals** of accepting and appreciating diversity **begins with recruitment.** Applicants should be carefully screened on these issues and put on notice of their significance.

This committee recommends **redeveloping the departments' diversity training programs** with funding from various granting sources. Programs within the University of Wisconsin – Milwaukee (e.g., Center for Urban Population Health, UWM Criminal Justice Program) and Milwaukee Area Technical College may be helpful in this curriculum development.

Enforcement of existing equal opportunity policies has been inconsistently applied. This committee recommends an **examination of the current complaint and investigative policies.** Improvements should be made in the process for reporting violations and protecting complainants from retaliation.

Both departments also state that they provide benefits to all employees equally as a condition or privilege of employment. The **lack of domestic partner benefits** results in a system into which LGBT members have been required to pay without receiving equal benefit. This issue **should be corrected by executive order and/or through proper contract negotiations.**

The **command staff should be trained to address violations proactively.** Employees who display substantiated patterns of intolerance and harassment toward LGBT members and others should become engaged in an **early warning system** to track their behaviors, establish goals for remediation, and provide guidance in performance improvement.

The current **chiefs have expressed interest in addressing the problem** of behaviors toward LGBT personnel and have taken steps to address issues as they come to their attention. However, there is no consistently applied program in place. The chiefs should be briefed on the issue and take a leadership role in this policy implementation

with consequences for failure to comply. **Zero tolerance should be the performance standard.**

Presently, there is no clear person or set of persons who are accountable for the implementation of existing protective policies. Without this, implementation is likely to remain inconsistent. The **chiefs should appoint a command staff member to head the enforcement** of the Commission's charge related to LGBT issues. The duties will include developing a strategy to carry out this resolution, implementing it and making progress reports to the chiefs and the Commission.

The evaluation system in place is not always taken seriously, and competence in issues of diversity is not weighed significantly in the evaluation process. Both the MPD and MFD should ensure that supervisors are trained on how to do evaluations more accurately, including how to implement the departments' diversity policies and/or EEOC policies. A **new category in supervisors' evaluations titled "Leadership in Diversity"** scored on the current 1-10 rating scale should be implemented.

LGBT officers lack any structure that encourages communication and mutual support among them. They remain cautious about revealing themselves even to one another. This caution contributes to reduced morale and prevents achieving the best performance possible. This committee recommends that the Commission encourage the formation of an **LGBT affinity group**. This group would function as other special interest associations. The name of the volunteer group would be the **Milwaukee Fire and Police LGBT Association**.

**Chiefs should report to the Commission** every six months on the progress of the initiatives to enforce the policy. The affinity group will also report to Commission every six months on the progress of the group's activities.

The LGBT members of the departments have long been a silent, anxious group because of the way they have been treated within the departments. With a concerted effort by the Commission and both departments, we can achieve the goal of creating departments that are more appreciative of the diversity of its members and the community they protect.

Sincerely,

Leonard J Sobczak  
Commissioner

## **Ad Hoc Committee Proposal to Commission On Revisions to Policies on LGBT Members**

On April 24, 2003, at the invitation of Chairman Woody Welch, the Milwaukee Fire and Police Commission heard testimony at its regularly scheduled meeting on the status of Lesbian, Gay, Bisexual and Transgender (LGBT) members of the Fire and Police Departments. The testimony included descriptions of ongoing negative attitudes and behavior within the departments toward LGBT members of the department and toward LGBT citizens.

As a result of the testimony, the Commission appointed an ad hoc committee to assess the problem within the departments toward its members and propose remedies to correct it. At this time the attitudes and treatment by the departments of LGBT citizens will not be addressed. The Committee was chaired by Commissioner Leonard Sobczak and consisted of 16 members of the departments, unions, and the community at large, nine of whom were openly lesbian or gay. Members are listed in **Appendix 1**.

The Ad Hoc Committee held three meetings on June 13<sup>th</sup>, July 15<sup>th</sup>, and August 7<sup>th</sup>, 2003. Beginning with the Equal Employment Opportunity and Diversity policies already in place, the Committee explored areas in which the policies were not being upheld and drafted measures to bring the departments in line with existing policy. They also drafted recommendations seeking to address issues not readily subsumed within existing policies.

In addition, Chairman Leonard Sobczak and member Gary Hollander of Diverse & Resilient, Inc., convened an anonymous advisory group of department employees by asking the chiefs to post invitation notices in the district stations. This group consisted of LGBT members of the fire and police departments and a few allies. The group was kept anonymous in order to provide safety for those who had not disclosed their orientation and were fearful of their orientation being exposed and retaliation from other members of the departments.

The Advisory Group met three times and had up to 15 attendees at a time. The purpose of the group was to get an insider view of the climate within the departments and guide the Ad Hoc Committee in forming policies that would be effective in correcting specific problems. On June 4, 2003, the advisory group met consisting of 11 women and 4 men, including Commissioner Leonard Sobczak and Gary Hollander of Diverse and Resilient Inc.. Twelve were MPD members and 1 was a MFD member. Eleven of the thirteen members were openly gay.

The overall general problems discussed and cited by some of the advisory group were:

- Anti-gay atmosphere as demonstrated by: harassing fliers and articles left on desks, tables and posted on work location bulletin boards; gay slurs used against men suspected of being gay; gay officers' cars being keyed. This atmosphere keeps officers fearful of acknowledging their orientation and of being discovered.

- General perception is that MPD command staff tolerates a certain level of harassment and only addresses it when brought up by offended parties; it is the responsibility of the LGBT officers to take action instead of the command staff.
- Executive level command staff is silent on most LGBT issues and appear to accept the status quo on these issues: officers interpret this silence as an anti-gay message.
- As long as they are not directly ostracized, many LGBT officers tolerate the negative environment.
- Critical incidents occur involving citizens, but reflect on the lack of sensitivity and cultural competence even among the best-intentioned officers. Example given was of an officer who disclosed a juvenile male's sexual orientation to his family and parents when its relevance was questionable. (A similar incident in Pennsylvania has resulted in a lawsuit and damage award against officers and the department)
- Older supervisors and officers appear more biased and less tolerant; younger LGBT officers appear less likely to tolerate the harassment.
- MPA and MPSO Unions are inconsistent with handling issues important to LGBT officers like benefits. It appears the unions support older, white, heterosexual males.
- Insufficient training in the Police Academy on how to handle issues involving LGBT people; there is no supervisor training on LGBT issues.
- The single MFD female representative had much less negativity to report.

The Committee requested documentation from both chiefs on complaints of harassment based on sexual orientation. The fire department reported none and the police department reported approximately one per year. It appears that one reason for so few complaints may be fear of reporting it.

The Ad Hoc Committee with additional review and support from the Advisory Group developed the following recommendations.

#### 1) **Diversity Statement.**

- a) **Status.** Both departments already have workable equal opportunity policies in place; the fire department also has a diversity statement that has been enforced.
- b) **Problem.** The policies have not been routinely enforced with regard to the LGBT members of the departments.

The Milwaukee Fire Department's Diversity Statement needs to be updated to clear up inconsistency of language. In addition, it is not entirely clear whether this diversity statement is a Standard Operating Procedure with consequences for failure to observe it or just a general guideline with no mandate for adherence.

- c) **Solution.** The inclusion of gender expression as a protected characteristic is necessary in both diversity statements. In this context, gender expression refers to the ways in which people communicate their gender through clothing,

behavior, voice, or emphasis of body characteristics. While gender expression is not necessarily an indication of sexual orientation, too often it is used as the basis for assumptions about it. Copies of proposed revisions are included as **Appendix 2**.

EEOC policies and other policies such as diversity statements that are related to the protection of the human employment rights of LGBT people should be prominently displayed in the stations if they are not already. Standard practice should be that all members of departments be expected to understand the policy and sign an acknowledgement of having read it.

Since the convening of this ad hoc committee, both departments have already begun responding to these concerns. The MPD has its EEOC policy posted at all work locations. In addition, the MPD supervisors were recently directed to disseminate copies of the policy to all members and ensure they understood the policy and signed an acknowledgement of having read it.

## 2) **Development of a climate survey.**

- a) **Status.** The status of LGBT members of the departments, through varying sources, indicates various patterns of biased behaviors related to or based on sexual orientation, gender expression, gender and race. The information has come from anecdotal reports, comments by LGBT members and complaints to the Personnel Division in the case of the Police Department.
- b) **Problem.** Numerous incidents of harassment of LGBT people or others assumed to be LGBT in the departments have gone unreported due to fear of retaliation and a feeling that it would be futile to report it. Past reports of harassment by gender and race also contribute to a feeling of being vulnerable.
- c) **Solution.** A climate survey should be developed and administered in both departments to both sworn and civilian personnel. This survey will gauge the current opinions of members of the departments toward not only LGBT members but toward other categories of targeted members such as people of color, women and those younger or older than the norm. The results of this survey will be used to guide on-going recruitment, diversity training, statements by leadership, and policy compliance efforts. The survey, therefore, should be administered in a manner, which would assure privacy, maximize response rates, and foster reliability of results.

It is recommended that the Milwaukee Fire and Police Commission work closely with the City Department of Employee Relations (DER) to identify and acquire the necessary funding sources to develop and administer a climate survey for both MPD and the MFD. It is best that this instrument be administered by both agencies' Personnel Divisions and an outside entity to ensure there is integrity in the information gathering, analyzing and recommendations made for improving the workplace climate. The DER department should budget the estimated initial

cost to develop and administer a survey (estimated at \$25,000) and administer it every two years to assess progress against the initial benchmark results (estimated at \$10,000 per subsequent administration and report). Programs within the University of Wisconsin – Milwaukee (e.g., Center for Urban Population Health, UWM Criminal Justice Program) and Milwaukee Area Technical College may be useful partners in this assessment venture.

The Commission would then distribute the data to the chiefs and decide on other appropriate manners of disseminating the data.

### 3) **New recruit training.**

- a) **Status.** The Fire Academy currently has no LGBT diversity training in recruit training. However, in response to this committee's concerns, the fire department has already begun planning for incorporating this training into their curriculum.

The MPD since 1992 has had a formal diversity training program. In the current 520 hour recruit training program, 83 hours of instruction are given in the area of human relations, with a diversity component. There are 12 hours of instruction on the topic of diversity, as required by the State of Wisconsin, of which 3 hours is given to LGBT issues by members of the LBGT community.

Within the Police Academy, the instruction is given toward the end of the training program. The current training is also three hours long, and assessment is limited.

The police department has expressed its commitment to the further development of its diversity training. **Refer to Appendix 3 - Memorandum from Lt. Michael Massa of the MPD Diversity Training Program.**

- b) **Problem.** Currently there is no compensation paid by the departments to the staff and volunteers of the Milwaukee LGBT Community Center for facilitating training. Given the amount of time required to develop and present a comprehensive training, this lack of funding support has likely compromised the thoroughness and effectiveness of the training. Specific applications of information to the jobs the recruits are expected to perform when they become police officers are limited. These issues are true of most, if not all, areas of diversity training currently being delivered within the Police Academy

It has been reported by some lesbian, gay, and heterosexual officers that this training is less effective when provided toward the end of the curriculum because recruits believe they are no longer being evaluated on content issues, thus they fail to give attention or credence to trainers. Further, where initially it was thought that the training would be more effective with no Academy personnel present, it has been reported that recruits laugh and joke when the instructors leave the classroom, further compromising effectiveness and creating a hostile environment for the LGBT recruits who are present.

- c) **Solution** –Accepting and appreciating diversity should be primary issues in recruitment and must be addressed in the application and acceptance process as a means of putting applicants on notice of its significance. Recruits should be carefully screened for their attitudes toward and their acceptance of the populations they will be serving, including LGBT people.

Both departments have demonstrated a willingness to make improvements in their diversity training curriculum where needed. It is hopeful, an effective, professional training program on all aspects of diversity including gender bias issues, gender expression and sexual orientation could begin in the fall of 2004 for both agencies. Within this training approach there should be a component that will additionally train other trainers within the department to take on the program over time, relying less on community volunteers and agencies for content expertise.

An estimated budget of \$50,000 should be allocated by the Milwaukee Fire and Police Commission or the Department of Employee Relations to develop this program (and one for in-service training. See below). Approximately \$10,000 should be allocated annually for ongoing implementation expenses, including the compensation of community organizations and individuals who provide ongoing resources to department training efforts. Additionally, the F&PC, MPD, MFD and DER should actively pursue funding sources from grants from national and local foundations, regular training departmental budgets, and the State of Wisconsin to assist in realizing this goal. Programs within the University of Wisconsin – Milwaukee (e.g., Center for Urban Population Health, UWM Criminal Justice Program) and Milwaukee Area Technical College may be useful partners in this curriculum development.

**Refer to Appendix 4 - Specific suggested components of the training.**

- 4) **In-service training.** The proposal described above and in Appendix 4 also includes the development of in-service training. In-service training may take many forms for different ranks within departments, with captains, deputies, assistant chiefs, and chiefs and their designees addressing advanced topics and specific skills related to relevant policy development and implementation.

The MPD last held LGBT in-service training for all sworn members of the rank of Lieutenant and below from 11-5-01 to 12-28-01. It was LGBT Community Center instructors who provided training.



## 5) Policy enforcement and remediation

- a) **Status.** Both departments already have workable equal opportunity policies in place.
- b) **Problem.** Equal Employment Opportunity Policies and Diversity statements have been inconsistently applied.

Enforcement. The police department has rules in place governing enforcement and remediation. MPD R/P 2/035.00 requires members to promptly communicate in writing to their commanding officer any violation of the Department's Rules and Procedures Manual or disobedience of orders by any other member that may come to their knowledge. This mandates that department members identify victims, witnesses, and rule violators or be subject to discipline themselves through the investigative process. The atmosphere in the department at this time does not encourage its use, however.

The enforcement complies with current complaint and investigative policies and practices, which relies on reports by aggrieved parties and involves a cumbersome reporting process that sometimes fails to adequately protect the complainants. Because of this, many incidents go unreported by their targets or observers for fear of retaliation. In addition, it serves to keep many LGBT members fearful of self disclosure or unintended exposure.

Benefits. Both departments state that they provide to all employees equally, among other things, "conditions or privileges of employment". Included in these conditions are the provision of benefits such as family leave time, health and dental insurance, and survivor benefits. However, in violation of the departments' own rules and Standard Operating Procedures, which guarantee these benefits equally to all employees, union and management consider it a separate issue to be bargained as an extension of current benefits if these apply to LGBT individuals in domestic partnerships.

At this time, LGBT members are not permitted Sickness in Family or Death in Family leave if it relates to their domestic partners. Additionally, when an LGBT member dies, his/her domestic partner is unable to receive the same pension benefits available to the spouses of heterosexual members. The LGBT members have, therefore, been required to pay into a system from which they don't receive equal benefit.

Partial progress has been made. In the 2001/2002 year, the City entered into a union agreement with the Association of Law Enforcement Allied Services Personnel, Local #218, I.U.P.A., AFLO-CIO Police Support Services Personnel to offer registered domestic partners health and dental insurance benefits. Refer to **Appendix 5** – 2001/2002 AELAP Union Contract page 52.

- c) **Solution.** Review specific policies for potential revision or for the addition of new policies that more specifically clarify the protection of benefits and workplace protections equally to LGBT people and to other targeted groups.

Enforcement. Examine the current complaint and investigative policies and practices to streamline and improve the process for reporting violations in the workplace by intended targets and observers. Since everyone is affected by biased and harassing statements and behaviors, anyone must be able to report these incidents without fear of reprisal. The committee recognizes that in general anyone who complains has the potential for reprisal or retaliation. It is the duty of the department to take appropriate action and do everything possible to protect any complainant from such conduct.

For employees who have struggled to develop a more professional demeanor regarding issues of diversity, but who nonetheless manage to make positive strides, incentives might be considered. Issues of diversity should be a specific item in performance evaluations warranting meritorious comment or proving to be areas for improvement or reprimand.

The command staff should be trained to address violations proactively, even initiating the investigative process, upon hearing or observing conduct that violates policies. This would require no outside complaint or aggrieved parties if it were directly observed by a commanding officer.

Employees who display substantiated patterns of intolerance and harassment toward LGBT members and others should become engaged in an early warning system to track their behaviors, establish goals for remediation, and provide guidance in performance improvement. Both departments' disciplinary processes should be reviewed and modified to allow for matters to be referred to the Milwaukee Police Department's POST and the Milwaukee Fire Department's Stress Team or Employee Assistance Program in the process of remediating violators' unacceptable behaviors.

Benefits. The domestic partner benefits issue should be corrected. The benefits are already provided as a "benefit or condition of employment" and should be provided by executive order. It is recommended that the Milwaukee Fire and Police Commission refer this matter to the City Attorney's Office, City Labor Negotiator and the MPD and MFD labor unions for proper contract negotiations. A sample of a memorandum of understanding that the City can use to address this issue and direct its labor negotiator is provided in **Appendix 6**. Similarly, union-managed survivor benefits should include domestic partners or significant others as well.

## 6) **Role of leadership.**

- a) **Status.** The current Chiefs have expressed interest in addressing the problems of behaviors toward LGBT civilian and sworn personnel. They have taken steps to

address issues as they come to their attention.

The Milwaukee Fire and Police Chiefs are responsible to administer, manage and develop policies, which lead to the general good order, discipline as well as promote the health, morale and welfare of the agencies. As chiefs, they are responsible for leading and directing others to achieve the agencies' goals and objectives on diversity inclusion, which includes the LGBT issues. It is their charge to uphold the federal, state and local laws and the Milwaukee Fire and Police Department rules and procedures regarding employment

- b) **Problem.** There is no overall consistently applied program in place. According to the Advisory Group, there is evidence that some Command Staff and other high-ranking officers overlook or even participate in anti-LGBT behavior. If this is true, this may lead to LGBT members feeling not wanted or accepted within their departments.

Also, the group feels that best intentions often exist at the Command level but fail to translate into concrete policy or procedural changes in the departments. As a result, at the lower levels abuses still continue.

- c) **Solution.** Chiefs should be briefed on the issue and on modeling right behavior, language, and attitudes relative to LGBT members and others. Leaders shall ensure that the enforcement process is both readily useable and also viewed as valid, with consequences for failure to comply.

The chiefs should ensure that the MPD and MFD establish a personnel policy that clearly prohibits discrimination against citizens and employees based on sexual orientation and gender identity issues.

The policy should clearly define reporting and investigative procedures for the proper handling and disposition of violations of said policy. The policy should be incorporated into the MPD and MFD Rules and Procedures manual.

See **Appendix 7** for additional leadership steps to be taken by the Chiefs

The Milwaukee Fire and Police Commission should hold the Milwaukee Fire and Police Chiefs strictly accountable for complying with the LGBT assignments, policies and timelines mutually agreed upon.

Zero tolerance should be the performance standard. Immediate investigative and enforcement action should be complied with when violations of the above policies are reported and substantiated. In addition to discipline action, remedial training must accompany all disciplinary action in these matters. Training and prevention of said violations is the preferred method for creating a work environment that is free from hostility for with all employees.

7) **Assignment of personnel accountable for implementation.**

- a) **Status.** There is no clear person or set of persons who are accountable for the implementation of existing protective policies. It could be argued that the Chief, Personnel Division and Policy Development Division serve this function, but policy implementation is not being uniformly administered.
- b) **Problem.** The lack of a designated individual charged with implementation will likely continue to result in inconsistency, redundancy and ineffectiveness.
- c) **Solution.** The Milwaukee LGBT Fire and Police Association (see recommendation in section 9) should recommend to the Chiefs a Command Staff member to be appointed to head the enforcement of the Commission's charge related to LGBT issues. This Command Staff member will assure confidentiality to any members who ask for it. The name of this Command Staff member and a notice stating the confidentiality guarantee will be posted in the stations.

This member will become well versed in the goals of implementation and compliance and will provide to the Chief and Commission his or her strategy to carry out this resolution. The charge will include instructing other leaders in the program and receiving regular reports on the progress of the program for report to the Chiefs and the Commission.

8) **Performance evaluations including leadership in diversity**

- a) **Status.** The evaluation system in place is not always taken seriously. It is generally assumed that evaluations sometimes consist of pulling out the previous report and changing the date to the current date. Further, competence in issues of diversity is not weighed significantly in the evaluation process.
- b) **Problem.** It is being reported by the Group that evaluators are overburdened with the number of evaluations they must produce, and there is insufficient command staff expectation that the evaluations will be any more meaningful than they currently are. This situation contributes to a loss of opportunity to coach department members who have developmental needs in issues of diversity. It may also tacitly condone continued errors or intentional infractions of department policies as these relate to LGBT officers.
- c) **Solution.** Both the MPD and MFD should ensure that supervisors are trained on how to do evaluations more accurately, including the implementation of the departments' diversity policies and/or EEOC policies in the instruction. In this training, expectations for performance (e.g., interrupting remarks, coaching for improvements, disciplining infractions) should be clarified and these should be rated in the evaluations.

Best current practices within the department in evaluating performance on diversity competencies should be highlighted and incentives for progress

supervisors make toward these improved systems should be developed.

A new category in supervisors' evaluations titled "Leadership in Diversity" scored on the current 1-10 rating scale should be implemented.

9) **Employee affinity group.**

- a) **Status.** LGBT Officers lack any structure that encourages communication and mutual support among them. Currently, the League of Martin, Latino Peace Officers Association, Black Women Officers Association and other law enforcement special interest organizations exist. These volunteer groups meet on their own time and on an on-going basis to advocate for their own concerns.
- b) **Problem.** LGBT officers remain cautious about revealing themselves even to one another. This caution contributes to reduced morale and prevents achieving the best performance possible. In addition, this atmosphere perpetuates misconceptions about LGBT members and encourages an atmosphere of silence that further contributes to a hostile work environment
- c) **Solution.** Recognizing the value of collaboration and mutual support of a common goal, the Ad Hoc Committee recommends that the Commission encourage the formation of an LGBT affinity group. This group would function as other special interest associations. An affinity group is a volunteer collection of department members who share similar values and are organized for their common good. The name of the volunteer group could be the Milwaukee Fire and Police LGBT Association. This group should have equal access to posting its notices in stations as other similar special interest groups within the departments. This group should have equal access to ongoing communication with the Chief, either through the recommended member of the Command Staff or through some other agreed upon mechanism as other special interest groups.

The purpose of the affinity group is social and mutual support.

In the absence of more preferred mechanisms of redress from either within the department or from the unions, the affinity group may also aspire to monitor the work environments of the LGBT members of the departments, promote a work environment free from harassment and discrimination, provide a safe environment to other LGBT members of the department, and serve as a resource on LGBT issues for the entire department.

**Follow-up on progress.**

Chiefs should report to Commission every 6 months. Reports would include:

- 1) Progress on the initiatives to enforce the policy;

- 2) Status of LGBT members and attitudes toward them as reported by the Command Staff member recommended by the Milwaukee Fire and Police LGBT Association;
- 3) Status of harassment complaints and the numbers currently outstanding; and
- 4) The climate of the departments as measured through above-mentioned surveys and/or through more general attitudes and other less formal commentary within the Command Staff and departments.

The Affinity Group will also report to Commission every 6 months on the progress of the group activities.

Regular Command Staff meetings should include an agenda item as needed to track the progress of the Commission Policy and Procedures.

**Appendix 1**  
**Members of LGBT Ad hoc committee**

Leonard Sobczak, Commissioner, Fire and Police Commission  
Neil Albrecht, Executive Director, Milwaukee LGBT Community Center  
Bradley Debraska, President, Milwaukee Police Association (MPA)  
Donald Doro, Deputy Chief, Milwaukee Fire Department  
Sean Duffey, Executive Board Member, Milwaukee Professional Firefighters Association Local 215  
Vincent Flores, Director, Milwaukee Police Supervisors Organization (MPSO)  
Ramon Galaviz, Deputy Inspector, Milwaukee Police Department  
Alicia Gibson, Wisconsin EbonyPride, Inc.  
Scott D. Gunkel, ACLU State Board Member  
Gary Hollander, Executive Director, Diverse & Resilient  
John Hordyk, Trustee, Association of Law Enforcement Allied Services Personnel (ALEASP)  
Stephanie Hume, Director of Outreach, AIDS Resource Center of Wisconsin  
Leonel Marchan, LGBT Community Activist  
Lori Resch, Treasurer, Association of Law Enforcement Allied Services Personnel (ALEASP)  
Debbie Renard, Assistant Professor, UW-Milwaukee Department of Educational Psychology  
Louise Schaefer, Sergeant, Milwaukee Police Department  
Karen White, Lieutenant, Milwaukee Fire Department

## **Appendix 2**

### Revised Diversity Statements

#### Milwaukee Police Department.

Employment Discrimination/Harassment Complaints  
MPD SOP 3/520.00:

"It is the policy of the Milwaukee Police Department to provide equal employment opportunity to all individuals with respect to recruitment, selection, training, promotion, application of benefits, performance evaluation, job assignment, transfer, and other terms, conditions or privileges of employment.

Specifically, the Milwaukee Police Department is committed to providing a work environment that is free from employment discrimination, harassment or improper treatment based on race, sex, religion, ancestry, color, creed, age, sexual orientation, gender expression, marital status, disability, military status, or any other protected characteristic as defined by Federal, State or local regulations. To achieve this end, every member of the department is required to uphold the highest standards of respect and civility for his or her associates in the department."

#### Milwaukee Fire Department

Diversity Statement. This statement should be more clearly codified into an enforceable rule with consequences rather than as a general operating guideline as it is currently used.

What is Diversity? Diversity, as it is understood in the workplace today, implies differences in people based on their identifications with various groups, but it is more. Diversity involves the process of acknowledging differences through action. In organizations, this means developing a variety of initiatives at the management and organizational levels, as well as at the interpersonal levels.

Vision: The continued excellence of the Milwaukee Fire Department is largely dependent upon the ability to attract, develop, and retain highly skilled, talented and motivated members. An essential element in maintaining this quality of service is the recognition of the value of a diverse work force. Characteristics such as: age, culture, ethnicity, gender, race, religious preference, sexual orientation, gender expression and the expression of unique philosophies and ideas provide the opportunity to better understand each other. This understanding will strengthen the efficiency and productivity of the work force, whose primary objective is to provide excellent service to the community.

Mission: The mission of the Milwaukee Fire Department is to maintain our high standard of excellence by attaining and fostering a diverse work force.



This will be accomplished by reaching the following goals:

~Goals~

1. Uphold the Federal, State and Local Laws, and the Milwaukee Fire Department's rules and regulations regarding employment.
2. Attract and retain qualified individuals from diverse backgrounds who are committed to the continued excellence of the Milwaukee Fire Department.
3. Achieve a diverse work force in terms of age, culture, ethnicity, gender, race, religious preference, sexual orientation, gender expression and the expression of unique philosophies and ideas. (Note: the previous policy lacked consistency of terms used in above statement. This correction achieves consistency)
4. Provide all employees the opportunity for development and growth at every rank on the Milwaukee Fire Department.
5. Expect that all employees will treat each other with dignity and respect, regardless of perceived differences.

#### **Appendix 4**

#### **Components of Proposed Recruit Training.**

- 1) All MPD/MFD employees shall be instructed on the department rules and procedures, state and federal laws and EEOC guidelines that govern the conduct of a professional workplace. Diversity training for all MPD/MFD employees shall be mandated, with specific inclusion of LGBT needs and issues. Training shall include command staff, supervisors, specialized assignments, detectives, police officers, fire fighters, police aides, fire cadets, and all other employees to address those issues and problems.
- 2) Diversity training on LGBT issues shall be received within the first 3 weeks of recruit police and fire training. Also, a block of instruction at in-service training for all employees on LGBT concerns and issues shall be provided at minimum every 3 years. Academy instructional staff will be present during recruit and in-service training. MPD/MFD LGBT team members shall be included as adjunct instructional staff to assist with curriculum review, development and facilitation of instruction. Training will also be given to all field training officers and as part of ongoing new supervisor training.
- 3) All MPD/MFD employees shall be instructed on the department rules and procedures, state and federal laws and EEOC guidelines that govern the conduct of a professional department, along with gender-neutral language and the necessity to drive out bigotry against members of the LGBT community. Special emphasis on instruction shall be on the reporting and investigative procedures as well as the consequences of substantiated complaints.
- 4) Culture, customs, and history of the LGBT community shall become part of the curriculum input from LGBT trainers. Included in the instruction will be definitions of common terminology and acronyms used in the LGBT communities.
- 5) Consciousness of issues and problems faced by LGBT employees need to be freely and openly discussed without fear of reprisal or open disapproval within the workplace.
- 6) Jokes, comments, unwanted attention directed at members of the LGBT community shall never be tolerated. Those examples of misconduct need to be shown as damaging to our mission, just as religious and racial slurs are.
- 7) The importance of members of the LGBT community to feel welcomed and valued within the MPD/MFD should receive high priority in training. Members of the department should feel comfortable in discussing their domestic partners and/or orientation without fear. Training to address homophobia needs to be provided to all members of the MPD/MFD.
- 8) Persons with HIV or AIDS need compassion and support, especially from the protective services. Training in all aspects of these diseases should be required for all members, to ensure high quality service and to combat myths.

Since the MFD receives EMT training through MATC, their program should be audited to be sure it adequately addresses the needs of LGBT members.

- 9) Violence targeted against members of the LGBT community (Hate Crimes) and same-sex domestic violence issues need to be addressed, with special emphasis upon

supervisory and investigator training. LGBT scenarios must be incorporated into domestic violence/sexual assault hate crime curriculum during recruit and in-service training programs.

- 10) Interpersonal Training which teaches members interactive skills that honors each others' different perspectives should be provided.
- 11) New recruit training currently includes tours of the community centers for several of the City's ethnic groups. The LGBT Community Center should be included in this tour. This would reinforce that the LGBT community is part of the City and the department.
- 12) Field training officers shall be screened and selected for their dedication and skill in upholding the departments' diversity commitment. Effectiveness of the training given immediately after graduating from the Academy is critical in setting a positive pattern of behavior during the remainder of the officer's career.

## Appendix 6

### SIDE LETTER ON DOMESTIC PARTNERSHIP BENEFITS

Effective \_\_\_\_\_, 2003 The City of Milwaukee will implement a policy which will provide City of Milwaukee Fire (Police) Department employees the opportunity to enroll domestic partners and their dependant(s) in the City of Milwaukee employee benefit plans including, but not limited to; health and dental care, Family Medical Leave Act (FMLA), funeral leave, life insurance, pension and bereavement compensation benefits currently available to spouses and their dependent(s) of City of Milwaukee Fire (Police) Department employees.

To enroll a domestic partner for benefits, the employee must certify that he/she shares a long-term committed relationship with their domestic partner. A domestic partnership must meet the following criteria: domestic partners must have lived together for at least the last six months prior to enrollment; domestic partners must have a mutually exclusive commitment similar to that of marriage, and; domestic partners must be financially responsible for each other's well being. Neither domestic partner may be married to any other person or have any other domestic partner. This information will be documented with a Domestic Partnership Registry Certificate or an affidavit.

Unmarried, natural or legally adopted children, or children for whom an employee or his/her domestic partner has legal guardianship ("dependents") are eligible to receive benefits.

The City of Milwaukee Fire (Police) Department will provide an equivalent FMLA leave to employees who must care for a domestic partner or their dependent(s).

Signed this day \_\_\_\_\_, 2003

\_\_\_\_\_  
\_\_\_\_\_

## Affidavit of Domestic Partnership

Name of Domestic Partner \_\_\_\_\_ Social Security Number \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Names	Birthdates
_____	_____
_____	_____
_____	_____

1. We are at least 18 years of age and have the capacity to enter into a contract;
2. We are engaged in a committed, mutually exclusive relationship and intend to remain together indefinitely;
3. Neither partner is married to any other person or has any other domestic partner;
4. We have lived together for at least the last six months;
5. We are financially responsible for each other's well being.

Domestic Partner's Signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

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## **Appendix 7**

### **Leadership steps to be taken by the Chiefs**

Both Chiefs should do the following;

- Ensure that their Department's EEOC Discrimination/Harassment Policy is posted and understood by all employees;
- Direct there be zero tolerance and strict enforcement of the EEOC Discrimination/Harassment Policy;
- Hold commanders and supervisors strictly accountable for the conduct of an employee who knowingly fails to report any violations of the EEOC DISCRIMINATION AND HARASSMENT POLICY;
- Lead the development of an open and inclusive organizational culture and climate from top down to include sworn, civilian support staff, contracted, volunteer and interns as it pertains to LGBT personnel, citizens and issues;.
- Create a workplace free from fear, stigma and anxiety for LGBT employees;
- Ensure there is zero tolerance for biased and harassing language against LGBT people;
- Direct commanders and supervisors to build trust not only with LGBT employees but also with the LGBT communities being served;
- Direct and proactively support recruit, in-service, new employee and new supervisor training programs on LGBT issues and concerns;
- Instruct a designated command staff member to establish a team of LGBT employees and allies, not the affinity group, to serve as a resource by crime victims in the LGBT communities, by first responders rendering fire and police services, by community groups requesting speakers; by other LGBT employees as mentors, coaches and a support group
- Provide all employees the opportunity for development and growth at every rank on the MPD and MFD.
- Proactively assist the F&PC with the recruitment of LGBT police and fire employees by establishing recruiting booths at the annual Pride Fest and advertising for officers/fire fighter positions through the various LGBT media outlets, i.e. In-Step and Advocate magazines and newspapers.
- Communicate with the LGBT community that the MPD and MFD want to be invited to all events that may be helpful in our recruiting efforts;
- Establish and include LGBT members in a mentoring program on how to be a diversity leader;
- Work to attract and retain qualified individuals from diverse backgrounds who are committed to the MPD and/or MFD vision, mission, values, goals and objectives.